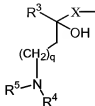


REMARKS

Applicants acknowledge receipt of the Office Action of March 25, 2010. In response to the action, Applicants have amended Claim 1 to remove the language regarding

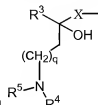


the R<sub>7</sub> definition absent and the inclusion of the radical at the 3-position of the quinoline ring in order to further prosecution and remove any (improperly laid) Section 112 rejections. With the amendment, the denial of priority and new matter objections are moot and will not be addressed further. Similarly, the 102(e) rejections based upon the Applicants' own patents are also rendered moot.

Applicants also direct the Examiner's attention to the structures found at the top of page 3 of the above Office Action, and inquire as to where these structures came from. Neither the priority case nor the current application specifies any such structures. In both the priority document and the present application, R<sup>6</sup> is always bonded directly to the scaffold.

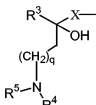
The Examiner has again rejected Claims 1-13 and 15-16 under 35 USC 102(b) as anticipated by Wommack. Note first that Claim 12 was canceled in the Applicants' August 3, 2009 response.

In response to the Applicants' challenge to identify any compounds in Wommack that anticipated the claimed compounds of this invention, the Examiner identified Compound 19. The Examiner has apparently based this rejection on a presumption that R<sup>6</sup>



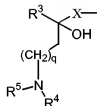
can be two different variable moieties at the same time—hydrogen and . This is not scientifically possible as it would result in an incorrect valence at the 3-position

absent the identification of a cationic structure in the claim. Further, the definition of R<sup>6</sup>



does not include the moiety.

The 102(b) rejection under Wommack is untenable and without any substance whatsoever. In an effort to further prosecution, Applicants have amended the proviso at the



end of Claim 1 to specifically exclude the moiety from the 3-position of the scaffold.

In any event, the rejection of Claims 15 and 16 is ungrounded, and the Examiner made no attempt to justify the rejection of these claims.

The Section 102(e) rejections are all moot, since the denial of priority has no basis due to the amendment to Claim 1 that removed the objected to language of the prior amendment.

Applicants submit that the claim amendments overcome all of the rejections in the subject Office Action. Applicants request a telephone interview to discuss the amendments and rejections if the Examiner has questions. With the above amendments, Applicants submit that all of the Claims are in proper form for allowance.

Should there be any questions regarding this Response, the Examiner may please contact the undersigned attorney at the telephone number listed.

Respectfully submitted,  
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